

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION

EDDIE MILTON GAREY, JR. §
VS. § CIVIL ACTION NO. 1:21cv547
LEONARD JONES, ET AL. §

MEMORANDUM OPINION AND ORDER

Plaintiff Eddie Milton Garey, Jr., an inmate confined at the Federal Correctional Complex in Beaumont, Texas, proceeding *pro se*, brings this lawsuit against prison officials.

The court referred this matter to the Honorable Zack Hawthorn, United States Magistrate Judge, at Beaumont, Texas, for consideration pursuant to applicable laws and orders of this court.

Plaintiff has filed two sets of objections to orders of the magistrate judge pertaining to service and plaintiff's use of photocopies of postage-paid Business Reply Mail envelopes intended for official court business.

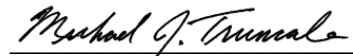
Analysis

In accordance with 28 U.S.C. § 636(b)(1)(A), a judge of the court may reconsider any pretrial matter referred to a Magistrate Judge under subparagraph (A) where it has been shown that the Magistrate Judge's order is clearly erroneous or contrary to law.

Having examined the allegations in plaintiff's objections and the file in this action, the undersigned finds no support for plaintiff's objections. The orders of the Magistrate Judge are neither clearly erroneous nor contrary to law. Pursuant to FED. R. CIV. P. 4(c)(3), only those entitled to proceed as a pauper are entitled to service by the United States Marshal's Service. As noted in the Magistrate Judge's order, plaintiff paid the full filing fee in this action; thus, he is not entitled to service by the Marshal's Service. Further, plaintiff's status as a "party and a former tax payer" does not entitle him to copy postage-paid official business envelopes to use for his personal benefit.

Accordingly, after due consideration, it is the opinion of the court that plaintiff's objections should be overruled. Plaintiff remains responsible for service of the defendants. It is therefore ORDERED that plaintiff's objections are OVERRULED.

SIGNED this 9th day of May, 2022.

A handwritten signature in black ink, reading "Michael J. Truncala", is positioned above a horizontal line.

Michael J. Truncala
United States District Judge